

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: **Randall H. JAMAIL**

Application No.: 09/997,260

Group No.: 2627

Filed: November 30, 2001

Examiner: A. Neyzari

For: **METHOD OF MASKING DATA ON DIGITAL VIDEO DISKS (DVD)**

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

REQUEST FOR WITHDRAWAL AS ATTORNEY (37 C.F.R. 10.40(c))

NOTE: Provided a request is filed prior to the expiration of a time period for reply or the expiration of the period which can be obtained by a petition and fee for extension of time under 37 CFR 1.136(a), the Office will review the Request and render a decision. Change Notice of March 13, 2008.

NOTE: If a period has been set for response and the period may be extended without a showing of cause pursuant to 37 C.F.R. § 1.136(a) by filing a petition for extension of time and fee, the practitioner will not be required to seek such extension of time for withdrawal to be approved. M.P.E.P. § 402.06, 8th ed.

CERTIFICATION UNDER 37 C.F.R. 1.8(a) and 1.10*

*(When using Express Mail, the Express Mail label number is **mandatory**;
Express Mail certification is optional.)*

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☐ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. 1.8(a)

37 C.F.R. 1.10*

☐ with sufficient postage as first class mail.

☐ as "Express Mail Post Office to Addressee"
Mailing Label No. _____ (**mandatory**)

TRANSMISSION

☐ transmitted by facsimile to the Patent and Trademark Office. to **(571)-273-8300**

Date: May 13, 2008

Signature

(type or print name of person certifying)

• Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

WARNING: *If the Request for Withdrawal is filed after mailing of the Notice of Allowance it can result in a reduction in patent term under 37 C.F.R. § 1.704(c)(10). Therefore, care should be taken to resolve the question of withdrawal before this possibility.*

REQUEST FOR PERMISSION TO WITHDRAW

1. I, an attorney signing below, respectfully request permission to withdraw from all further responsibility in this case, in accordance with 37 C.F.R. 1.36.

(complete the following item, if appropriate)

- ☐ Because the amendment referred to in item 4A(iii) below is a continuing application signed only by an attorney named below this withdrawal request is also for such continuing application.

LAST KNOWN ADDRESS OF CLIENT

2. The last known mailing address of the:

- ☐ inventor(s)
☒ assignee of the entire interest

is Justice Records Co., Inc.
500 Dallas Street, Suite 3434, Houston, TX 77002 .

BASIS FOR WITHDRAWAL REQUEST

3. The basis for the request for withdrawal is 37 C.F.R. 10.40(c) §(§) (5) .

Explanation (including brief description of exhibits, if any):

Copy of client's consent e-mail of May 12, 2008.

(add additional page(s), as required for explanation)

ALLOWANCE OF TIME FOR CLIENT TO ACT

4. Status of this Application

A. Response due (*if any*)

- (i) ☐ There is no outstanding term for response.
- (ii) ☒ There is an outstanding term for response that is set to expire on May 15, 2008.
The above term is extendible under 37 C.F.R. 1.136(a), until _____ and
the fees for such extension
☐ are
☐ are not
being submitted herewith.

(complete the following, if applicable)

- (iii) ☐ Also submitted herewith, is a response to the outstanding Official Action.

B. Time Left for Response

Therefore, this Request, including extension under 37 C.F.R. 1.136(a), is in reasonable time to avoid prejudice to the client's rights. Change Notice of March 13, 2008.

NOTIFICATION OF CLIENT

5. In accordance with 37 C.F.R. 10.40(a), a copy of this request, including attachments, is being sent to the client.

A copy of the letter to the client is attached.

NOTE: A practitioner shall not withdraw from employment without giving due notice to his or her client. 37 C.F.R. 10.40(a).

NUMBER OF COPIES OF REQUEST

6. This request is enclosed in triplicate.

NOTE: "To expedite the handling of request for permission to withdraw as attorney under 37 C.F.R. § 1.36 submit the request in triplicate (original and two copies). . ." Notice of September 3, 1985 (1058 O.G. 32).

7. Related Applications for Which Withdrawal is Requested

Withdrawal also is (has been) requested in the following related applications of the:

(check all applicable items)

- ☐ inventor:
☐ assignee:
☐ common representative:

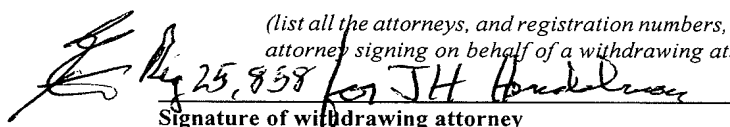
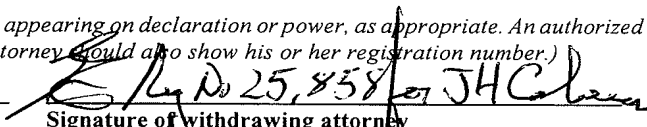
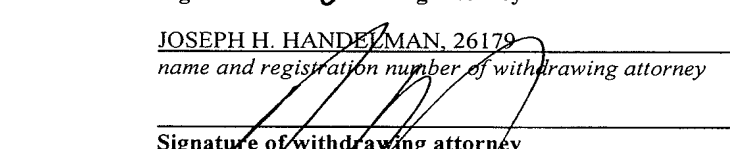
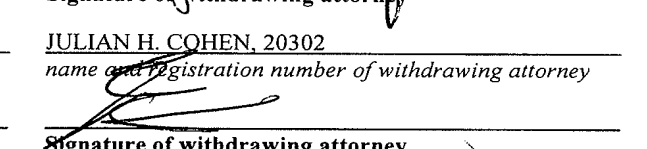
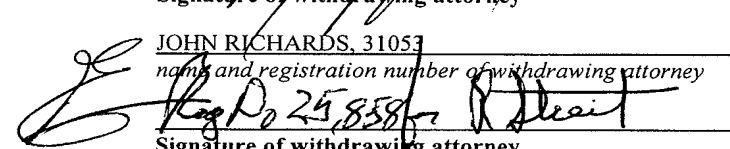
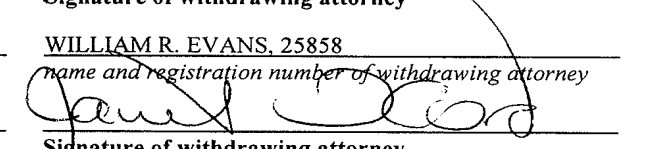
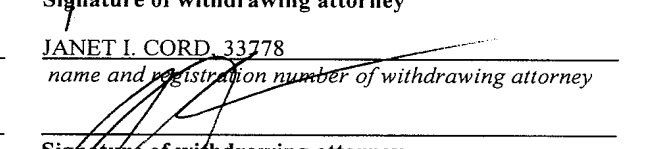
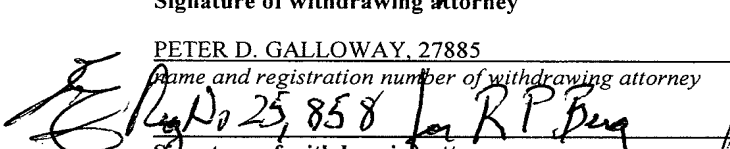
| <u>Application Number</u> | <u>Group</u> | <u>Status of Withdrawal request</u> |
|---------------------------|--------------|-------------------------------------|
| _____ | _____ | _____ |
| _____ | _____ | _____ |
| _____ | _____ | _____ |

SIGNATURE(S) OF WITHDRAWING ATTORNEY(S) (PRACTITIONER(S))

NOTE: Each attorney of record must sign the notice of withdrawal or the notice of withdrawal must contain a clear indication of one attorney signing on behalf of another. M.P.E.P. § 402.06, 6th ed. rev. 3.

8. Signature(s) of the attorney(s) withdrawing (or signature of an authorized attorney on behalf of an attorney withdrawing)

(list all the attorneys, and registration numbers, appearing on declaration or power, as appropriate. An authorized attorney signing on behalf of a withdrawing attorney should also show his or her registration number.)

| | |
|---|---|
|  Signature of withdrawing attorney |  Signature of withdrawing attorney |
| JOSEPH H. HANDELMAN, 26179 name and registration number of withdrawing attorney | JULIAN H. COHEN, 20302 name and registration number of withdrawing attorney |
|  Signature of withdrawing attorney |  Signature of withdrawing attorney |
| JOHN RICHARDS, 31053 name and registration number of withdrawing attorney | WILLIAM R. EVANS, 25858 name and registration number of withdrawing attorney |
|  Signature of withdrawing attorney |  Signature of withdrawing attorney |
| RICHARD STREIT, 25765 name and registration number of withdrawing attorney | JANET I. CORD, 33778 name and registration number of withdrawing attorney |
|  Signature of withdrawing attorney |  Signature of withdrawing attorney |
| PETER D. GALLOWAY, 27885 name and registration number of withdrawing attorney | CLIFFORD J. MASS, 30086 name and registration number of withdrawing attorney |
|  Signature of withdrawing attorney |  Signature of withdrawing attorney |
| RICHARD P. BERG, 28145 name and registration number of withdrawing attorney | STEVEN I. WALLACH, 35402 name and registration number of withdrawing attorney |

Reg. No.:



SIGNATURE OF PRACTITIONER

William R. Evans, 25858, (212) 708-1930

Tel. No.: ()

(type or print name of practitioner)

Customer No.:



00140

PATENT TRADEMARK OFFICE

P.O. Address

c/o Ladas & Parry LLP
26 West 61st Street
New York, N.Y. 10023

Evans, William

From: Randall Jamail[SMTP:randall@justicerecords.com]
Sent: Monday, May 12, 2008 12:24 PM
To: 'Evans, William'
Cc: 'Wallach, Steven I. (PHL)'
Subject: RE: US Reissue Patent ApIn. 09/997, 260, 10/400,793, 4 & 6; your refs : U 015452-1, 3-2,4-0 & 5-8

Yes, I am confirming that Steven will undertake these issues from here on out.
Thank you.

-----Original Message-----

From: Evans, William [mailto:WEvans@ladas.com]
Sent: Monday, May 12, 2008 10:34 AM
To: 'Randall@justicerecords.com'
Cc: 'swallach@dilworthlaw.com'
Subject: US Reissue Patent ApIn. 09/997, 260, 10/400,793, 4 & 6; your refs : U 015452-1, 3-2,4-0 &5-8

As we understand Steven to undertake below dealing with these cases on instructions from your office, it would be desirable for you to replace our Powers with his so as to avoid double billing from our receiving notices and his responding.

Please confirm our understanding with these Powers prior to the present deadline of May 15, 2008.

> Very truly yours,
> William R. Evans
> Ladas & Parry LLP
> 26 West 61st Street
> New York, New York 10023
> 212-708-1800 (main)
> 212-708-1930 (direct)
> 212-246-8959 (fax)
> wevans@ladas.com

>
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> **From:** Wallach, Steven I. (PHL)[SMTP:swallach@dilworthlaw.com]
> **Sent:** Tuesday, May 06, 2008 12:25 PM

> To: Evans, William
> Subject: US Reissue Patent ApIn. 09/997, 260, 10/400,793, 4 & 6; your
> refs: U 015452-1, 3-2,4-0 &5-8
>
> Bill:
>
> I have been in touch with Shy Masters, Randall Jamail's assistant. Ms.
> Masters needs Mr. Jamail's approval of the expenses, but he is out of the
> country this week. She will try to address the issue with him if and when
> he calls her, and in any event expects an answer by Monday. Meanwhile, I
> will contact the Office of Patent Legal Administration concerning the
> show-cause orders.
>
> Regards,
> Steven
>
> Steven I. Wallach
> Dilworth Paxson LLP
> 3200 Mellon Bank Center
> 1735 Market Street
> Philadelphia, PA 19103-7595
> (p) 215-575-7075
> (f) 215-575-7200
> swallach@dilworthlaw.com
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